

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPH PREBLE,

Defendant.

No. 2:15-CR-0041-JLQ

ORDER RE: COMPLIANCE
WITH 18 U.S.C. § 3509(d)

BEFORE THE COURT are the Government's Motion for Protective Order (ECF No. 9) and Motion to Expedite (ECF No. 10). The Government represents that the discovery in this matter "includes statements from several potential minor victims...who are alleged to have been victims of crimes of sexual exploitation." (ECF No. 9, p. 1-2). The Government therefore urges that the provisions of 18 U.S.C. § 3509 apply, and requests a Protective Order pursuant to § 3509(d).

IT IS HEREBY ORDERED:

1. The Motion to Expedite (ECF No. 10) is **GRANTED**.
2. The Motion for Protective Order (ECF No. 9) is **GRANTED** to the extent set forth herein.
3. The privacy protection measures mandated by 18 U.S.C. § 3509(d), when the case involves a person under the age of eighteen years who is an alleged victim of a crime of sexual exploitation, or witness to a crime allegedly committed against another person, apply to this case.
4. All persons acting in this case in a capacity described in 18 U.S.C. § 3509(d)(1)(B) shall:

1 A. Keep all documents that disclose the name or any other information concerning
2 a child in a secure place to which no person who does not have reason to know their
3 contents has access; and

4 B. Disclose such documents or the information in them that concerns a child only
5 to persons who, by reason of their participation in the proceeding, have reasons to know
6 such information.

7 5. All papers to be filed in court that disclose the name of or any other information
8 concerning a child shall be filed under seal **without necessity of obtaining a further**
9 **court order**, and the person filing shall submit to the clerk of the court:

10 A. The complete paper to be kept under seal; and

11 B. The paper with the portions of it that disclose the name of or other information
12 concerning a child redacted, to be placed in the public record.

13 6. Counsel shall provide one another a copy of each unredacted pleading filed in
14 this case, unless such pleading is submitted *in camera*.

15 7. The parties and the witnesses shall not, without the prior approval of the court,
16 disclose an alleged minor victim's name at pretrial proceedings or at trial in this case.
17 The parties shall, subject to the Order of the court, prepare their witnesses and instruct
18 them to refer to the alleged minor victims only by using pseudonyms (e.g., "Jane Doe 1",
19 "John Doe 2", or by their initials) as agreed to by counsel. Counsel shall also use the
20 pseudonyms in opening statement and closing argument. The pseudonyms shall not be
21 "Victim A", "Victim B" as suggested in the Proposed Order.

22 **IT IS SO ORDERED.** The Clerk shall enter this Order and furnish copies to
23 counsel.

24 Dated this 6th day of May, 2015.

25 s/ Justin L. Quackenbush
26 JUSTIN L. QUACKENBUSH
27 SENIOR UNITED STATES DISTRICT JUDGE